

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. §371		Attorney Docket Number
		5525-0038.10
		U.S. Application No. (if known, see 37 CFR §1.5)
		09/786254
International Application No.	International Filing Date	Priority Date Claimed
PCT/US99/20047	31 August 1999	04 September 1998
Title of Invention		
METHOD OF SCREENING FOR GENETIC POLYMORPHISM		
Applicant(s) for DO/EO/US		
Sydney Brenner		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information		
1.	<input checked="" type="checkbox"/>	This is a FIRST submission of items concerning a filing under 35 U.S.C. §371.
2.	<input type="checkbox"/>	This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. §371.
3.	<input type="checkbox"/>	This express request to begin national examination procedures (35 U.S.C. §371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. §371(b) and PCT Articles 22 and 39(1).
4.	<input checked="" type="checkbox"/>	A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5.	<input checked="" type="checkbox"/>	A copy of the International Application as filed (35 U.S.C. §371(c)(2))
a.	<input type="checkbox"/>	is transmitted herewith (required only if not transmitted by the International Bureau).
b.	<input checked="" type="checkbox"/>	has been transmitted by the International Bureau.
c.	<input type="checkbox"/>	is not required, as the application was filed in the United States Receiving Office (RO/US).
	<input type="checkbox"/>	A translation of the International Application into English (35 U.S.C. §371(c)(2)).
	<input type="checkbox"/>	Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. §371(c)(3))
a.	<input type="checkbox"/>	are transmitted herewith (required only if not transmitted by the International Bureau).
b.	<input type="checkbox"/>	have been transmitted by the International Bureau.
c.	<input type="checkbox"/>	have not been made; however, the time limit for making such amendments has NOT expired.
d.	<input checked="" type="checkbox"/>	have not been made and will not be made.
	<input type="checkbox"/>	A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. §371(c)(3)).
	<input checked="" type="checkbox"/>	An oath or declaration of the inventor(s) (35 U.S.C. §371(c)(4)).
	<input type="checkbox"/>	A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. §371(c)(5)).
Items 11. to 16. below concern document(s) or information included:		
11.	<input type="checkbox"/>	An Information Disclosure Statement under 37 CFR §1.97 and §1.98.
12.	<input type="checkbox"/>	An assignment document for recording. A separate cover sheet in compliance with 37 CFR §3.28 and §3.31 is included.
13.	<input type="checkbox"/>	A FIRST preliminary amendment.
	<input type="checkbox"/>	A SECOND or SUBSTITUTE preliminary amendment.
14.	<input type="checkbox"/>	A substitute specification.
15.	<input type="checkbox"/>	A change of Power of Attorney and/or Address letter.
16.	<input type="checkbox"/>	Other items or information:

U.S. Application No. (if known, see 37 CFR 1.5) **09/786254**

International Application No. **PCT/US99/20047**

Attorney's Docket No. **5525-0038.10**

17. ☒ The following fees are submitted:

BASIC NATIONAL FEE (37 CFR \$1.492(a) (1)-(5) :

Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a) (2)) paid to USPTO and International Search Report not prepared by the EPO or JPO **\$1,000.00**

International preliminary examination fee (37 CFR \$1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO **\$ 860.00**

International preliminary examination fee (37 CFR \$1.482) not paid to USPTO but international search fee (37 CFR \$1.445(a) (2)) paid to USPTO **\$ 710.00**

International preliminary examination fee paid to USPTO (37 CFR \$1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) **\$ 690.00**

International preliminary examination fee paid to USPTO (37 CFR \$1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) **\$100.00**

ENTER APPROPRIATE BASIC FEE AMOUNT =

CALCULATIONS PTO USE ONLY

\$690.00

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☒ 30 months from the earliest claim priority date (37 CFR \$1.492(e)).

\$130.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	16 - 20	0	x \$ 18.00	\$ 00.00	
Independent Claims	3 - 3	0	x \$ 80.00	\$ 00.00	
Multiple Dependent Claim(s) (if applicable)			+ \$270.00	\$ 00.00	
TOTAL OF ABOVE CALCULATIONS =				\$820.00	

☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.

\$

SUBTOTAL = \$820.00

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR \$1.942(f)).

\$ 00.00

Fee for recording enclosed assignment (37 CFR \$1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR \$3.28, \$3.31) \$40.00 per prop. +

\$

TOTAL FEES ENCLOSED = \$820.00

Amount To Be: refunded

\$

Amount to Be: charged

\$

- a. ☒ A check in the amount of **\$820.00** to cover the filing fees is enclosed.
- b. ☐ Please charge Deposit Account No. **04-0531*** in the amount of \$* to cover the above fees. This sheet is provided in triplicate.
- c. ☐ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. **04-0531***. This sheet is provided in triplicate.

NOTE: Where an appropriate time limit under 37 CFR \$1.494 or \$1.495 has not been met, a petition to revive (37 CFR \$1.137(a) or (b)) must be filed and granted to restore the application to pending status

SEND ALL CORRESPONDENCE TO:

Iota Pi Law Group
P.O. Box 60850
Palo Alto, CA 94306

Signature
LeeAnn Gorthey
Registration No. **37,337**

3/2/01

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17. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR \$1.492(a)(1)-(5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1,000.00 International preliminary examination fee (37 CFR \$1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$ 860.00 International preliminary examination fee (37 CFR \$1.482) not paid to USPTO but international search fee (37 CFR \$1.445(a)(2)) paid to USPTO \$ 710.00 International preliminary examination fee paid to USPTO (37 CFR \$1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$ 690.00 International preliminary examination fee paid to USPTO (37 CFR \$1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00		CALCULATIONS PTO USE ONLY
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TOTAL OF ABOVE CALCULATIONS =		\$820.00
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TOTAL FEES ENCLOSED =		\$820.00
Amount To Be: refunded		\$
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b. <input type="checkbox"/> Please charge Deposit Account No. 04-0531* in the amount of \$* to cover the above fees. This sheet is provided in triplicate.		
c. <input type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 04-0531* . This sheet is provided in triplicate.		
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SEND ALL CORRESPONDENCE TO:		LeeAnn Gorthey 3/2/01
Iota Pi Law Group P.O. Box 60850 Palo Alto, CA 94306		Signature LeeAnn Gorthey Registration No. 37,337

METHOD OF SCREENING FOR GENETIC POLYMORPHISM

Field of the Invention

The invention relates generally to methods for identifying polymorphic DNA sequences, and more particularly, to a method of comparing a reference DNA population with a test DNA population for the purpose of identifying sequences that are different.

Background

Genetic factors contribute to virtually every disease, conferring susceptibility or resistance, or influencing interaction with environmental factors, Collins et al, Science, 278: 1580-1581 (1997). As genome mapping and sequencing projects advance, more attention is being directed to the problem of sequence variability, both between genomes of the same species and, perhaps more importantly, between genetic regulatory elements and expressed genes of different individuals of the same species. In the area of human health, it is believed that a detailed understanding of the correlation between genotype and disease susceptibility, responsiveness to therapy, likelihood of side-effects, and other complex traits, will lead to improved therapies, to improved application of existing therapies, to better preventative measures, and to better diagnostic procedures, Caskey, Science, 236: 1223-1229 (1987); White and Caskey, Science, 240: 1483-1488 (1988); Lander et al, Science, 265: 2037-2048 (1994); Schafer et al, Nature Biotechnology, 16: 33-39 (1998); and Housman et al, Nature Biotechnology, 16: 492-493 (1998).

Many techniques are available for detecting the presence or absence of a suspected mutation or polymorphic sequence, including direct sequencing, ligation-based assays, restriction fragment length analysis, allele-specific polymerase chain reaction, assays based on differential electrophoretic mobilities, primer extension, mismatch repair enzymes, and specific hybridization, e.g. Taylor, Editor, Laboratory Methods for the Detection of Mutations and Polymorphisms in DNA (CRC Press, Boca Raton, 1997); Cotton, Mutation Detection (Oxford University Press, Oxford, 1997); Landegren et al, Science, 242: 229-237 (1988); Brown, Current Opinion in Genetics and Development, 4: 366-373 (1994); Shumaker et al, Human Mutation, 7: 346-354 (1996); Nikiforov et al, Nucleic Acids Research, 22: 4167-4175 (1994); Pastinen et al, Genome Research, 7: 606-614 (1997); Lisitsyn et al, Science, 259: 946-951 (1993); and the like. However, most of these techniques are not directed to large-scale identification, or surveying, of polymorphic sequences, either for whole genomes or for expressed genes, and several require that the polymorphism be known beforehand. This limitation is significant, as the frequency of polymorphism in unrelated individuals is estimated to average as high as once every several hundred basepairs, e.g. Cooper et al, Human Genetics, 69: 201-205 (1985). Thus, some disease

conditions or susceptibilities could depend on the interaction of and/or contributions from large numbers of genetic loci

It would be highly desirable if there was an approach available that was particularly well suited for large-scale identification of, or surveying, polymorphic or mutated sequences in an individual.

Summary of the Invention

Accordingly, my invention includes providing methods and materials for carrying out the following objectives: identifying multiple polymorphic sequences in a test DNA population, identifying genes or other sequences in a population carrying novel polymorphisms, identifying differences between two populations of DNA molecules, identifying genes having a polymorphic or mutated sequence, and determining the degree of genetic variation between a test DNA population and a reference DNA population.

My invention achieves these and other objectives by providing methods and materials for identifying member polynucleotides of a test DNA population whose nucleotide sequences differ from those of the corresponding polynucleotides of a reference DNA population. In accordance with the invention, heteroduplexes are formed between polynucleotides of the reference DNA population and those of the test DNA population. Heteroduplexes that contain mismatched base pairs are separated from those that form perfectly matched duplexes, preferably by enzymatically digesting the perfectly matched heteroduplexes and homoduplexes so that only partially double stranded mismatched heteroduplexes remain. The mismatched heteroduplexes are then used to generate amplicons which are sequenced to identify members of the test DNA population whose sequences differ from those of the corresponding members of the reference DNA population. The nature of the sequence difference between the test and reference DNAs is determined by complete sequencing of the test DNA fragment. Materials of the invention include cloning vectors which efficiently accept inserts comprising either reference DNA or test DNA, and kits including the cloning vectors of the invention.

Brief Description of the Drawings

Figure 1a-1c illustrates a preferred scheme for carrying out the steps of the invention.

Figure 2 schematically illustrates a preferred cloning system for constructing reference DNA populations and test DNA populations in accordance with the invention.

Definitions

As used herein, the term "complexity" in reference to a population of polynucleotides means the number of different species of polynucleotide present in the population.

As used herein, the term "heteroduplex" means a duplex consisting of two strands of DNA or one strand of DNA and one strand of RNA wherein one strand is derived from a reference DNA molecule and the other strand is derived from a test DNA molecule, e.g. a putative mutant or polymorphic DNA molecule. The two strands of a heteroduplex may form a perfectly matched duplex or they may form a duplex with one or more mismatches and/or one or more insertions or deletions of nucleotides. Usually, heteroduplexes are formed from single stranded DNAs from the same genomic region of two different individuals of the same species.

As used herein, the term "mismatch" means a base pair between any two of the bases A, T (or U for RNA), G, and C other than the Watson-Crick base pairs G-C and A-T. The eight possible mismatches are A-A, T-T, G-G, C-C, T-G, C-A, T-C, and A-G.

As used herein, the terms "mutation" and "polymorphism" are used somewhat interchangeably to mean a DNA molecule, such as a gene, that differs in nucleotide sequence from a reference DNA molecule, or wildtype, by one or more bases, insertions, and/or deletions. The usage of Cotton (cited above) is followed in that a mutation is understood to be any base change whether pathological to an organism or not, whereas a polymorphism is usually understood to be a base change with no direct pathological consequences.

The term "oligonucleotide" as used herein includes linear oligomers of natural or modified monomers or linkages, including deoxyribonucleosides, ribonucleosides, and the like, capable of specifically binding to a target polynucleotide by way of a regular pattern of monomer-to-monomer interactions, such as Watson-Crick type of base pairing, base stacking, Hoogsteen or reverse Hoogsteen types of base pairing, or the like. Usually monomers are linked by phosphodiester bonds or analogs thereof to form oligonucleotides ranging in size from a few monomeric units, e.g. 3-4, to several tens of monomeric units, e.g. 40-60. Whenever an oligonucleotide is represented by a sequence of letters, such as "ATGCCTG," it will be understood that the nucleotides are in 5' 3' order from left to right and that "A" denotes deoxyadenosine, "C" denotes deoxycytidine, "G" denotes deoxyguanosine, "T" denotes thymidine, and "U" denotes uridine, unless otherwise noted. The term "dNTP" is an abbreviation for "a deoxyribonucleoside triphosphate," and "dATP", "dCTP", "dGTP", "dTTP", and "dUTP" represent the triphosphate derivatives of the individual deoxyribonucleosides. Usually oligonucleotides comprise the natural nucleotides; however, they may also comprise non-natural nucleotide analogs. It is clear to those skilled in the art when oligonucleotides having natural or

non-natural nucleotides may be employed, e.g. where processing by enzymes is called for, usually oligonucleotides consisting of natural nucleotides are required

"Perfectly matched" in reference to a duplex means that the poly- or oligonucleotide strands making up the duplex form a double stranded structure with one other such that every nucleotide in each strand undergoes Watson-Crick basepairing with a nucleotide in the other strand. The term also comprehends the pairing of nucleoside analogs, such as deoxyinosine, nucleosides with 2-aminopurine bases, and the like, that may be employed. In reference to a triplex, the term means that the triplex consists of a perfectly matched duplex and a third strand in which every nucleotide undergoes Hoogsteen or reverse Hoogsteen association with a basepair of the perfectly matched duplex.

As used herein, "nucleoside" includes the natural nucleosides, including 2'-deoxy and 2'-hydroxyl forms, e.g. as described in Kornberg and Baker, DNA Replication, 2nd Ed. (Freeman, San Francisco, 1992). "Analog" in reference to nucleosides includes synthetic nucleosides having modified base moieties and/or modified sugar moieties, e.g. described by Scheit, Nucleotide Analogs (John Wiley, New York, 1980); Uhlman and Peyman, Chemical Reviews, 90: 543-584 (1990), or the like, with the only proviso that they are capable of specific hybridization. Such analogs include synthetic nucleosides designed to enhance binding properties, reduce complexity, increase specificity, and the like.

As used herein, "reference population" of DNA, or "reference DNA population," refers to a collection of DNAs, or RNAs derived from it, which is compared to a test population of DNA or RNA, or "test DNA population," by the formation of heteroduplexes between the complementary strands of the reference DNA population and test DNA population. If perfectly matched heteroduplexes form, then the respective members of the reference and test populations are identical; otherwise, they are polymorphic. Typically, the nucleotide sequences of members of the reference population are known and the sequences, and their variants, are listed in sequence databases, such as Genbank. Preferably, a reference population of DNA comprises a cDNA library from a known cell type or tissue source. For example, a reference population of DNA may comprise a cDNA library derived from the tissue of a healthy individual and a test population of DNA may comprise a cDNA library derived from the same tissue of a diseased individual. Reference populations of DNA may also comprise an assembled collection of individual polynucleotides, e.g. genes encoding all of the known p53 variants, or the like, or may comprise genomic DNA.

As used herein, the term "amplicon" refers to a population of identical DNA molecules replicated, or amplified, by a DNA amplification technique, usually polymerase chain reaction (PCR). Thus, a population of amplicons refers to a population of populations of identical DNA

molecules, as would be produced if a mixture of DNA molecules were amplified in the same PCR.

As used herein, the term "vector" or "cloning vector" refers to an extrachromosomal genetic element which can be used to replicate a DNA fragment in a host organism. A wide variety of cloning vectors are commercially available for use with the invention, e.g. New England Biolabs (Beverly, MA); Stratagene Cloning Systems (La Jolla, CA); Clontech Laboratories (Palo Alto, CA); and the like. Usually, cloning vectors used with the invention are bacterial plasmids.

Detailed Description Of The Invention

The present invention is directed to the identification of DNA sequences in a test DNA population that contain polymorphic sequences relative to genes or other DNA sequences in a reference population. An important feature of the invention is the comparison of populations of DNAs rather than individual DNAs one at a time. In accordance with the invention, DNA sequences of the test DNA population that contain sequence differences relative to their counterparts in the reference DNA population are identified by sequencing portions of mismatched heteroduplexes formed by hybridizing member DNA sequences of the respective populations. The sequence information obtained from the mismatched heteroduplexes may then be used to "look up" a corresponding full-length sequence in a nucleotide sequence database, such as Genbank, or the test sequence can be sequenced fully using conventional techniques. As used herein, the term "sequence tag" refers to the nucleotide sequence of such a portion of a DNA sequence. It is possible, of course, that a previously unknown gene or sequence may be identified, but typically a known gene or sequence is identified by conducting a homology search of a database of known gene and/or genomic sequences. Preferably, a sequence tag is long enough to permit the unique identification of the gene or genomic fragment from which the tag is derived. Thus, for smaller genomes, shorter sequence tags may be employed, and for larger genomes, longer sequence tags are required. Preferably, sequence tags are at least nine nucleotides in length; more preferably, sequence tags are at least 15 nucleotides in length. Still more preferably, a sequence tag has a length in the range of 15 to 300 bases.

The reference DNA populations and test DNA populations may be derived from a variety of sources, including genomic DNA, expressed genes, messenger RNA, and the like, of either plant, animal, or microbial origin, and may be from individuals of the same or different species, or from individuals of similar or different geographical or ecological environments. Preferably, the test DNA populations are from one or more individuals having a medical condition, susceptibility, or disease of interest, and the reference DNA populations are from one

or more individuals free of such condition, susceptibility, or disease. The test and reference DNA populations are preferably derived from genomic DNA, which allows comparison of expressed as well as non-expressed DNA sequences, such as genetic regulatory elements. Preferably, the reference and test DNA populations are prepared by digesting source DNA, e.g. genomic DNA, with the same restriction endonuclease. The respective fragments are then preferably inserted into cloning vectors to form libraries for storing and manipulating the populations of DNA fragments. Exemplary cloning vectors include pUC19, pNEB193, M13mp, pBluescript II, and the like (New England Biolabs, Beverly, MA; Stratagene, La Jolla, CA). Preferably, reference and test populations of DNA are prepared by cloning in vectors in order to minimize the random introduction of spurious mutations. If PCR is employed in the preparation, preferably high fidelity DNA polymerases are employed, such as Pfu DNA polymerase, or the like, and/or the number of amplification cycles is minimized.

Another important feature of the invention is the formation of heteroduplexes between single stranded DNA of the test DNA population and substantially complementary single stranded DNA of the reference DNA population. Such single stranded DNA may be produced in a variety of ways, including denaturation by heating, treatment with a chaotropic solvents, and the like, using techniques well known in the art, e.g. Britten et al. *Methods in Enzymology*, 29: 363-418 (1974); Wetmur et al. *J. Mol. Biol.*, 31: 349-370 (1968). Preferably only complementary single stranded DNA from one population is selected for hybridization with the single stranded DNA of the other population, so that there is no possibility of forming nonproductive homoduplexes. Such stand isolation can be carried out in several ways, including asymmetric PCR, PCR with one nuclease-resistant primer followed by exonuclease digestion, melting the complements from avidin-captured biotinylated strands, and the like, e.g. Birren et al. editors, *Genome Analysis: A Laboratory Manual*, Vol. 1 (Cold Spring Harbor Laboratory Press, New York, 1997); Hultman et al, *Nucleic Acids Research*, 17: 4937-4946 (1989); Straus et al, *BioTechniques*, 10: 376-384 (1991); Nikiforow et al. *PCR Methods and Applications*, 3: 285-291 (1994); and the like, which references are incorporated by reference. Preferably, single stranded DNA from the respective populations is prepared by PCR with a nuclease-resistant primer followed by exonuclease digestion.

Whenever the method of the invention is applied to populations of DNA that include all or a substantial fraction of complete genomes, particularly mammalian or higher plant genomes, the step of forming heteroduplexes preferably includes a step of forming subpopulations of DNA in order to reduce the complexity of the DNA populations prior to hybridization. As is well known in the art, e.g. Britten et al (cited above), the rate of a hybridization reaction depends on the complexity of the mixture of hybridizing nucleic acid strands. Thus, in order to reduce the time of

forming heteroduplexes. the complexities of either one or both the reference DNA and the test DNA populations are preferably reduced prior to carrying out hybridization reactions for forming heteroduplexes. Preferably, complexities are reduced by partitioning the respective populations into subpopulations in well known ways, e.g. differential PCR amplification using sets of primers having different 3'-terminal nucleotides, e.g. Pardee et al. U.S. patent 5,262,311; amplification after ligation of indexing linkers, e.g. Kato, U.S. patent 5,707,807; Deugau et al, U.S. patent 5,508,169; and Sibson, U.S. patent 5,728,524; and the like, which references are incorporated by reference. Preferably, complexities are reduced enough to permit reassociation of ninety percent of the complementary single stranded DNA in 72 hours or less. More preferably, complexity is reduced to permit reassociation of ninety percent of the complementary single stranded DNA in 48 hours or less. Most preferably, complexity is reduced so that reassociation of ninety percent of the complementary single stranded DNA takes place in 16 hours or less.

In embodiments wherein complex genomes, such as human genomes, are compared, preferably the reference DNA population consists of restriction fragments from an insert of a cloning vector, such as a phage, cosmid, BAC, PAC, YAC, or like system for storing and maintaining large genomic fragments. More preferably, the reference DNA population consists of restriction fragments from a BAC insert. Techniques for construction and manipulation of such cloning vectors is described in Birren et al, editors, *Genome Analysis: A Laboratory Manual*, Vol. 1, "Analyzing DNA," (Cold Spring Harbor Laboratory Press, New York, 1997); or like references. Preferably, restriction fragments making up a reference DNA population and/or a test DNA population have an average length in the range of several tens of basepairs, e.g. 50, to a few thousand basepairs, e.g. 2000, so that they may be easily cloned in readily available vectors and/or amplified by PCR. More preferably, such restriction fragments have an average length in the range of 50 to 300 basepairs. In further preference, a reference DNA population derived from a BAC insert consists of from several hundred, e.g. two hundred, to several thousand, e.g. two thousand, fragments.

Once heteroduplexes are formed in accordance with the invention, it is important to distinguish heteroduplexes with mismatches from those forming perfectly matched duplexes in a manner which permits isolation of a portion of each of the mismatched heteroduplexes. This may be accomplished with application of so-called chemical mismatch recognition techniques as well as enzymatically based mismatch recognition techniques, such as disclosed widely in the mutation detection literature, e.g. Taylor (cited above), Cotton (cited above); Cotton, U.S. patent 5,698,400; Modrich et al, U.S. patent 5,702,894; Ganguly et al, *Genomics*, 4: 530-538 (1989); Ganguly et al, *Nucleic Acids Research*, 18: 3933-3939 (1990); Lu et al, *Genomics*, 14: 249-255 (1992); Ellis et al, *Nucleic Acids Research*, 22: 2710-2711 (1994); Maniatis et al. U.S. patent 4,946,773; Smooker

et al. Mutation Research, 288: 65-77 (1993); and the like, which references are incorporated by reference.

Preferably, mismatched heteroduplexes are distinguished from perfectly matched heteroduplexes and homoduplexes by enzymes that recognize, or are affected by, mismatched sequences. More preferably, such enzymes include resolvases, RNase As, methyl-directed mismatch repair enzymes, mutY proteins, cel I, exonucleases, and the like.

Most preferably, mismatched heteroduplexes are recognized by a single stranded exonuclease which requires a double stranded DNA substrate. That is, the exonuclease binds to a double stranded DNA substrate, but digests only one of the two strands of the substrate. When such an exonuclease encounters a mismatched duplex, which disrupts the substrate structure, digestion is significantly inhibited, or stops altogether. An example of such an exonuclease is exonuclease III from *Escherichia coli*, which is described fully in Rogers et al, Methods in Enzymology, 65: 201-211 (1980); and Guo et al, Methods in Enzymology, 100: 60-97 (1983) (which references are incorporated by reference). Exonuclease III is a standard reagent of molecular biology and is widely available commercially, e.g. New England Biolabs (Beverly, MA).

A preferred embodiment of the invention employing exonuclease III is shown schematically in Figures 1a through 1c. As shown in Figure 1a, a reference DNA population is formed by steps (102) of digesting BAC (100) with restriction endonuclease r_1 , inserting the resulting fragments into cloning vector (104), using conventional protocols, e.g. Ausubel et al, editors, Current Protocols in Molecular Biology (John Wiley & Sons, New York, 1997), and transforming a suitable host to form a recombinant library. Cloning vector (104) is constructed with the following elements adjacent to a restriction endonuclease recognition site for accepting the fragments of the reference DNA population: first primer binding site (106), second primer binding site (108), restriction endonuclease recognition site r_2 (110), restriction endonuclease recognition site r_3 (112), and third primer binding site (114). The first, second, and third primer binding sites have different sequences so that a primer directed to one does not cross hybridize or anneal to any other. Reference DNA fragment (116) with strands (117) and (118) is shown in the vector. After insertion of the reference DNA fragments into vector (104), a suitable host is transformed and a recombinant library is created.

A test DNA population is formed by steps (122) of digesting a sample of test DNA (120) with restriction endonuclease r_1 , inserting the resulting fragments into cloning vector (124) using conventional protocols, and forming a recombinant library. The selection of cloning vectors (104) and (124) is not critical to the invention. Commercially available vectors, such as pUC19, pBS+/- (Stratagene Cloning Systems, La Jolla, CA), and the like, are suitable for use with the

invention with straight forward modifications to generate the preferred elements. Selection of restriction endonucleases r_1 , r_2 , and r_3 , are likewise not critical to the invention and a significant degree of latitude may be exercised in their selection. Preferably, r_1 , r_2 , and r_3 have different recognition sites. Cloning vector (124) is constructed with the following elements
5 adjacent to a restriction endonuclease recognition site for accepting the fragments of the test DNA population: fourth primer binding site (126), restriction endonuclease recognition site r_3 (111), restriction endonuclease recognition site r_2 (113), and fifth primer binding site (132). The sequences of third primer binding site (114) and fifth primer binding site (132) are the same, but the sequence of fourth primer binding site (126) is different from that of any of the other primer
10 binding sites so that a primer hybridizing or annealing to it would not cross hybridize to any of the others. Test DNA fragment (136) with strands (137) and (138) is shown in the vector. After insertion of the test DNA fragments into vector (124), a suitable host is transformed and a recombinant library is created.

After formation of libraries of reference fragments in vector (104) and test fragments in
15 vector (124), a series of steps (158, 160, 175) are preferably implemented to select only those fragments from the test fragment library that correspond to fragments from the reference DNA population. Such selection may be carried out as follows: First, amplicon (147) is formed by carrying out a PCR using vector (104) as a target DNA and primers (150') and (142') which are specific for strands (149) and (141), respectively. PCR products are purified after amplification
20 by use of commercially available solid phase column purification systems, e.g. QIAquick PCR Purification kit (Qiagen GmbH, Hilden, Germany). Primer (150') is cross-hatched to indicate that it contains exonuclease resistant linkages. As a result, the 5' end of strand (150) of amplicon (147) is resistant to 5'→3' exonuclease digestion. Many different nuclease-resistant moieties may be employed where called for in the invention provided that such moieties are compatible
25 with PCR conditions. For example, Eckstein, editor, Oligonucleotides and Analogues: A Practical Approach (IRL Press, Oxford, 1991); Froehler, U.S. patent 5,256,775; Mesmaeker et al, Current Opinion in Structural Biology, 5: 343-355 (1995); Crooke et al, Exp. Opin. Ther. Patents, 6: 855-870 (1996); and like references, describe several nuclease-resistant oligonucleotides. Preferably, phosphorothioate linkages between nucleosides are used to confer
30 nuclease resistance. Amplicon (147) is digested (172) with a 5'→3' exonuclease, e.g. T7 gene 6 exonuclease (available from United States Biochemical), to give single stranded DNA (171), following the protocol of Straus et al, BioTechniques 10: 376-384 (1991). Separately, amplicon (151) is formed by carrying out a PCR using vector (124) as a target DNA and nuclease-resistant primer (154') and standard primer (157') which are specific for strands (153) and (155),
35 respectively. The 5' end of strand (154) of amplicon (151) is resistant to 5'→3' exonuclease

digestion. Amplicon (151) is cleaved (139) with endonuclease r_2 to remove fifth primer binding site (132), after which resulting fragment (174) is digested (173) with a 5'→3' exonuclease to give single stranded DNA (176). Single stranded DNAs (171) and (176) are then combined to form (158) heteroduplexes (178) with non-complementary ends (141) and (154). Single strand (138) is extended (160) with a DNA polymerase to form heteroduplex (179), after which heteroduplex (179) is amplified (175) in a PCR using primers (146') and (154') complementary to regions (145) and (153), respectively (the latter region (153) being created after the first extension of primer (146')). Thus, segment (141) is not replicated in the PCR and single strand (118) is replaced by complement (137) of strand (138) so that each amplicon (186) contains a replicate of a test DNA fragment.

Amplicon (186) is further amplified (180) in a PCR using primers (190) and (154') so that amplicon (196) is formed. Primer (190) comprises a 3' portion (146') complementary to segment (145) and a 5' portion (192) which contains nuclease resistant linkages and which extends beyond the end of amplicon (186) so that, after amplification, amplicon (196) contains a nuclease-resistant 5' end (192). After cleavage with restriction endonuclease r_3 (185) to produce duplex (198), duplex (198) is digested (190) with a 5'→3' exonuclease to produce single stranded DNA (200).

Separately from the above, amplicon (202) is produced in a PCR using vector (104) as a target DNA and primers annealing to regions (148) and (141). The primer annealing to region (141) is resistant to digestion by 5'→3' exonucleases, so that amplicon (202) contains nuclease-resistant region (203). After digestion (204) of amplicon (202) with a 5'→3' exonuclease to produce single stranded DNA (206), single stranded DNA (206) is combined with single stranded DNA (200) to form either heteroduplex (210) when mismatches (215) are present between the test DNA strand and the corresponding reference DNA strand or heteroduplex (210') when the test DNA and reference DNA strands are perfectly complementary. The heteroduplexes (210) and (210') are treated (211) with exonuclease III, or like exonuclease, to digest the 3' recessed strands of the heteroduplexes. At sites on heteroduplexes (212) where the double stranded structure is disrupted, such as by mismatch (215), digestion is halted and partially double stranded structure (212) is formed. In contrast, perfectly matched heteroduplexes (210') are converted into single stranded form (212'). Partially double stranded structures (212) are rendered fully double stranded by treatment (220) with a DNA polymerase having 3'→5' exonuclease activity. Such a polymerase extends strand (137), cleaves the overhanging 3' end (149), then extends the same strand using region (192) as a template to form completed a duplex (225). Duplex (225) contains a fragment of the reference DNA population.

After amplification, duplex (225) is inserted into a conventional cloning vector, e.g. via restriction sites r_2 and r_3 , and a suitable bacterial host is transformed and plated. Clones are picked from colonies and inserts of such clones are sequenced to identify fragments of the reference DNA population whose counterparts in the test DNA population contain polymorphic sequences. The polymorphism of the test DNA fragment is identified by cloning and sequencing the test DNA fragment using conventional techniques. For example, in the above embodiment, primers may be constructed based on the knowledge of the reference DNA sequence for amplifying the counterpart fragment from the test DNA population.

As mentioned above, the invention includes kits for carrying out the method of detecting polymorphisms. Such kits comprise cloning vectors for producing reference DNA populations and test DNA populations, primers for generating amplicons of the method, and a $3' \rightarrow 5'$ exonuclease for generating partially double stranded duplexes from amplicons having mismatched sequences. More preferably, kits further comprise $5' \rightarrow 3'$ exonuclease-resistant primers for generating single stranded DNA from double stranded amplicons and a $5' \rightarrow 3'$ exonuclease for carrying out such reactions. Still more preferably, such kits further include instructions for carrying out the steps of the method of the invention, and cloning vectors having the structures described in Figures 1a-c for producing reference DNA populations and test DNA populations. Such kits may also include restriction endonucleases r_1 , r_2 , and r_3 , as well as the appropriate reaction buffers for their use and the use of other enzymes, such as DNA polymerases, in the method of the invention.

System for Efficient Cloning of Genomic Fragments

Preferably, DNA fragments of test and reference DNA populations are cloned with the system shown schematically in Figure 2. A key feature of the cloning system is the production of fragments that can neither form concatemers nor self ligate. That is, after digestion (252) of the test or reference DNA (250) with a restriction endonuclease r_5 that produces $3'$ recessed ends, the ends are treated (256) to render the protruding strands non-self complementary. Preferably, this is accomplished by extending (256) the $3'$ recessed strand by one nucleotide by a conventional DNA polymerase reaction in the presence of a single dNTP to produce modified restriction fragments (258). For example, if the test or reference DNA is cleaved with restriction endonuclease Bcl I, fragments with the following ends are produced:

5' ...NT	GATCAN ... 3'
3' ...NACTAC	TN ... 5'

The recessed 3' ends of the fragments are extended with a polymerase in the presence of dGTP to produce the following ends:

	5' ...NTG	GATCAN ... 3'
5	3' ...NACTAC	GTN ... 5'

Since these ends are not complementary, the fragments will not be joined to one another in a standard ligation reaction used to insert the fragment into a vector. Preferably, r_s is any type II restriction endonuclease that has an uninterrupted palindromic recognition site and that leaves a 3' recessed strand upon cleavage. More preferably, a palindromic four-nucleotide 5' protruding strand (as shown above) is produced upon cleavage with r_s .

Cloning vector (265) is designed to have a cloning site flanked by two restriction endonuclease recognition sites (266) and (267) for restriction endonuclease r_x . Preferably, the cloning site of vector (265) contains "stuffer" fragment (269) which is removed (268) prior to insertion of fragments (258) into "opened" vector (270). r_x is selected to produce ends compatible with the modified ends of fragments (258), which generally must be one nucleotide shorter than the overhangs produced by r_s . A stuffer fragment permits an opened vector (i.e. cleaved at 266 and 267) to be conveniently isolated by gel electrophoresis, or like technique that differentiates DNA fragments by size. Preferably, the stuffer fragment is large enough to permit efficient and convenient isolation of an opened vector. More preferably, a stuffer fragment (269) is between ten and several hundred, e.g. 200, basepairs in length. r_x must produce a 5' protruding strand with a nucleotide sequence complementary to the protruding strands of modified fragments (258). Since the extension step (256) destroys the palindromic character of the ends of fragments (258), r_x must be selected from restriction endonucleases that allow the production of ends in vector (265) that are complementary to such non-palindromic ends. Accordingly, r_x is selected from enzymes that can cleave within arbitrary or substantially arbitrary sequences of nucleotides, which typically include either type IIs restriction endonucleases or type II restriction endonucleases having interrupted palindromic recognition sites. Preferably, sites (266) and (267) are for the same enzyme. More preferably, sites (266) and (267) are for the same type IIs restriction endonuclease. Preferably, whenever (266) and (267) are for type IIs endonucleases, the recognition sites are internal to stuffer fragment (269) such that the cleavage sites of the enzymes form the boundary of the stuffer fragment in the vector. Exemplary combinations of restriction endonucleases for use with the invention are listed in the following table:

Vector sequences may be used for primer binding sites (106), (108), and (114).

The corresponding embodiment of cloning vector (124) may be constructed by inserting the following fragment (upper strand: SEQ ID NO:5; lower strand: SEQ ID NO:6) into an Eco RI/Hind III-digested pUC19':

5

Eco RI

Bam HI

Sap I

Sap I

Bgl II Hind III



5'- aattcttttaaaaccttcctggatccgatcgaagagcgatatcgctcttcgatcagatcta
gaaattttggaaggacctaggctagcttctcgcctatagcgagaagctagtctagattcga

10

↑
 primer binding site (126)

where primer binding site (126, double underlined sequence) is added along with a Bam HI site and a Bgl II site.

15

It is claimed

1. A method of identifying polymorphic DNA sequences in a test DNA population, the method comprising the steps of:

- 5 (a) providing a reference DNA population;
- (b) forming a population of heteroduplexes from single stranded DNA of the reference DNA population and from single stranded DNA of the test DNA population;
- (c) isolating mismatched heteroduplexes of the population by digesting a single stranded DNA of substantially every perfectly matched duplex;
- 10 (d) amplifying the isolated mismatched heteroduplexes to form a population of amplicons; and
- (e) determining the nucleotide sequence of a portion of each amplicon so that polymorphic DNA sequences of the test DNA population are identified.

- 15 2. The method of claim 1 wherein the step of isolating further includes digesting said heteroduplexes with a single stranded exonuclease whose substrate is duplex DNA.

3. The method of claim 2 wherein said steps of providing said reference DNA population and said test DNA population include providing members of said reference DNA population in a first cloning vector and providing members of said test DNA population in a second cloning vector, the first cloning vector having a first primer binding site, a second primer binding site, a third primer binding site, and a cloning site disposed between the second and third primer binding sites.
- 20

- 25 4. The method of claim 3 wherein said second cloning vector has a fourth primer binding site, a fifth primer binding site, and a cloning site disposed between the fourth primer binding site and the fifth primer binding site, and the fifth primer binding site having a nucleotide sequence identical to said third primer binding site.

- 30 5. The method of claim 4 wherein said single stranded DNA of said reference DNA population is generated by amplifying said members of said reference DNA population in a polymerase chain reaction using a nuclease-resistant primer specific for said first primer binding site and a primer specific for said third primer binding site to form an amplicon having a single strand with a nuclease-resistant 5' end, and digesting the amplicon with a 5'→3' exonuclease.

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6. The method of claim 5 wherein said single stranded DNA of said test DNA population is generated by amplifying said members of said test DNA population in a polymerase chain reaction using a nuclease-resistant primer specific for said fourth primer binding site and a primer specific for said fifth primer binding site to form an amplicon having a single strand with a nuclease-resistant 5' end, and digesting the amplicon with a 5' → 3' exonuclease.

7. The method of claim 2 wherein said step of forming a population of heteroduplexes includes partitioning said test DNA population into subpopulations and separately forming subpopulations of heteroduplexes from single stranded DNA of said reference DNA population and single stranded DNA from each subpopulation of said test DNA population.

8. The method of claim 7 wherein said subpopulations of said test DNA population and said reference DNA population have complexities which permit at least ninety percent of heteroduplexes of said subpopulations of heteroduplexes to be formed in seventy-two hours or less.

9. A cloning vector for incorporation of DNA digested by a restriction endonuclease, the cloning vector comprising the following sequence of elements:

a first restriction endonuclease recognition site;

20 a stuffer fragment;

and a second restriction endonuclease recognition site, the first and second restriction endonuclease recognition sites being specific for type IIs restriction endonucleases.

10. The cloning vector of claim 9 wherein said first restriction endonuclease recognition site
25 and said second restriction endonuclease recognition site are the same.

11. A cloning vector for incorporation of DNA digested by a restriction endonuclease, the cloning vector comprising the following sequence of elements:

- a first restriction endonuclease recognition site;
- a stuffer fragment;
- and a second restriction endonuclease recognition site, wherein said first restriction endonuclease recognition site and said second restriction endonuclease recognition site are selected from the group consisting of Sap I, Ear I, Ksp632 I, Mwo I, Blp I, Bsu36I, Dde I, Hinf I, EcoQ109 I, and Sau96 I.

12. A method of cloning a restriction fragment, the method comprising the steps of:
providing a population of restriction fragments, each end of each restriction fragment of
the population having a recessed 3' strand and a protruding 5' strand, the protruding 5' strand
having a predetermined palindromic sequence:

- 5 extending the recessed 3' strand by one nucleotide to form a modified end;
 providing a cloning vector comprising a first restriction endonuclease recognition site, a
 stuffer fragment, and a second restriction endonuclease recognition site, the first and second
 restriction endonuclease recognition sites being specific for a restriction endonuclease selected
 from the set consisting of type IIs restriction endonucleases and type II restriction endonucleases
10 recognizing interrupted palindromic sequences;
 digesting the cloning vector with one or more restriction endonucleases that recognize the
 first and second restriction endonuclease recognition sites to form an opened cloning vector with
 ends complementary to the modified ends of the restriction fragment;
 inserting the restriction fragment having modified ends into the opened cloning vector;
15 and
 transforming a host with the cloning vector carrying the inserted restriction fragment.

13. The method of claim 12 wherein said step of extending includes extending said
recessed 3' strand with a DNA polymerase in the presence of a predetermined nucleoside
20 triphosphate.

14. The method of claim 13 wherein said protruding 5' strand consists of four nucleotides.

15. The method of claim 14 wherein said restriction endonuclease recognizing said first
25 and said second restriction endonuclease recognition sites is selected from the group consisting of
 Sap I, Ear I, Ksp632 I, and Mwo I.

16. The method of claim 15 wherein said restriction endonuclease recognizing said first
and said second recognition sites is Sap I and said first and said second restriction endonuclease
30 recognition sites are located with said stuffer fragment.

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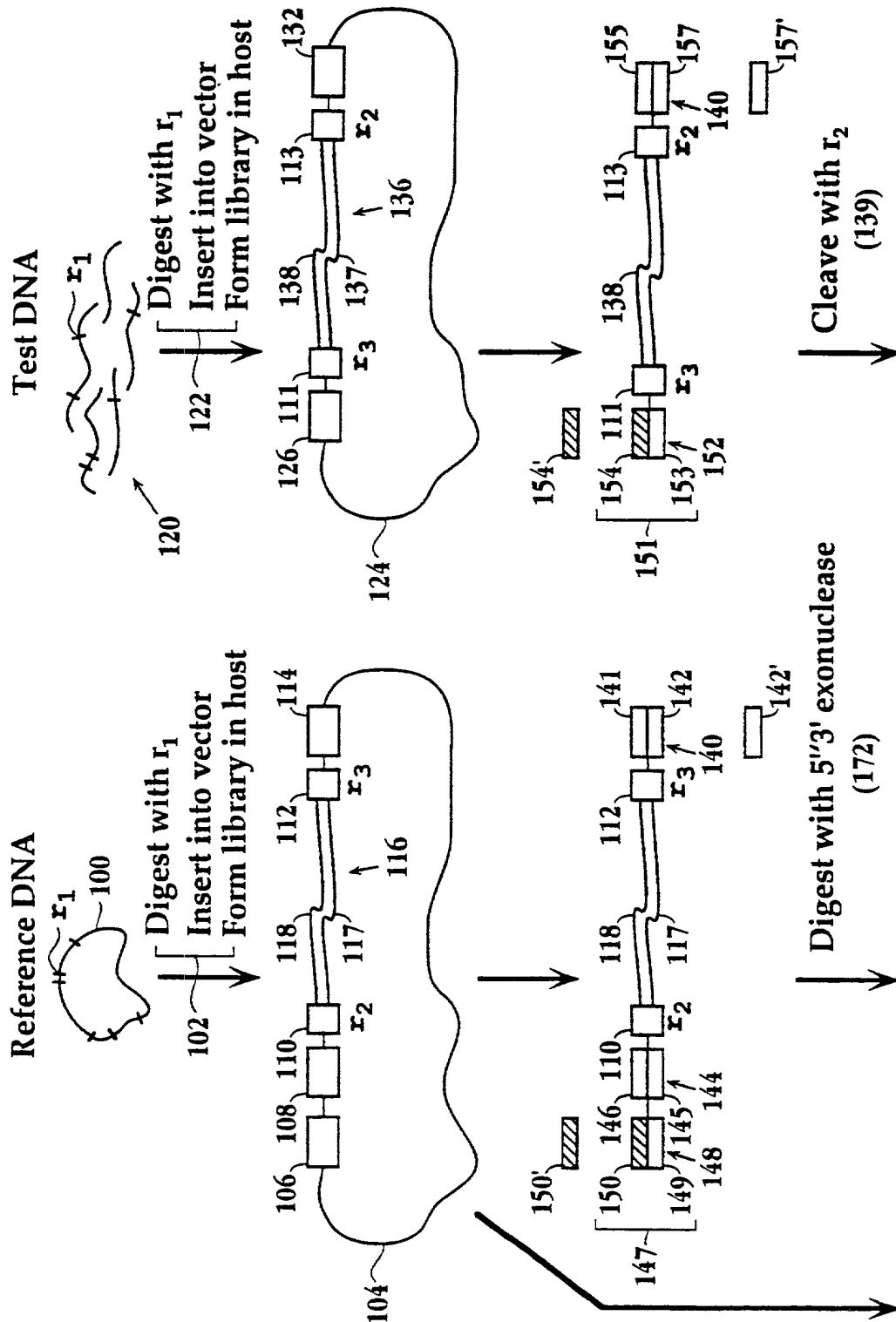


Fig. 1A

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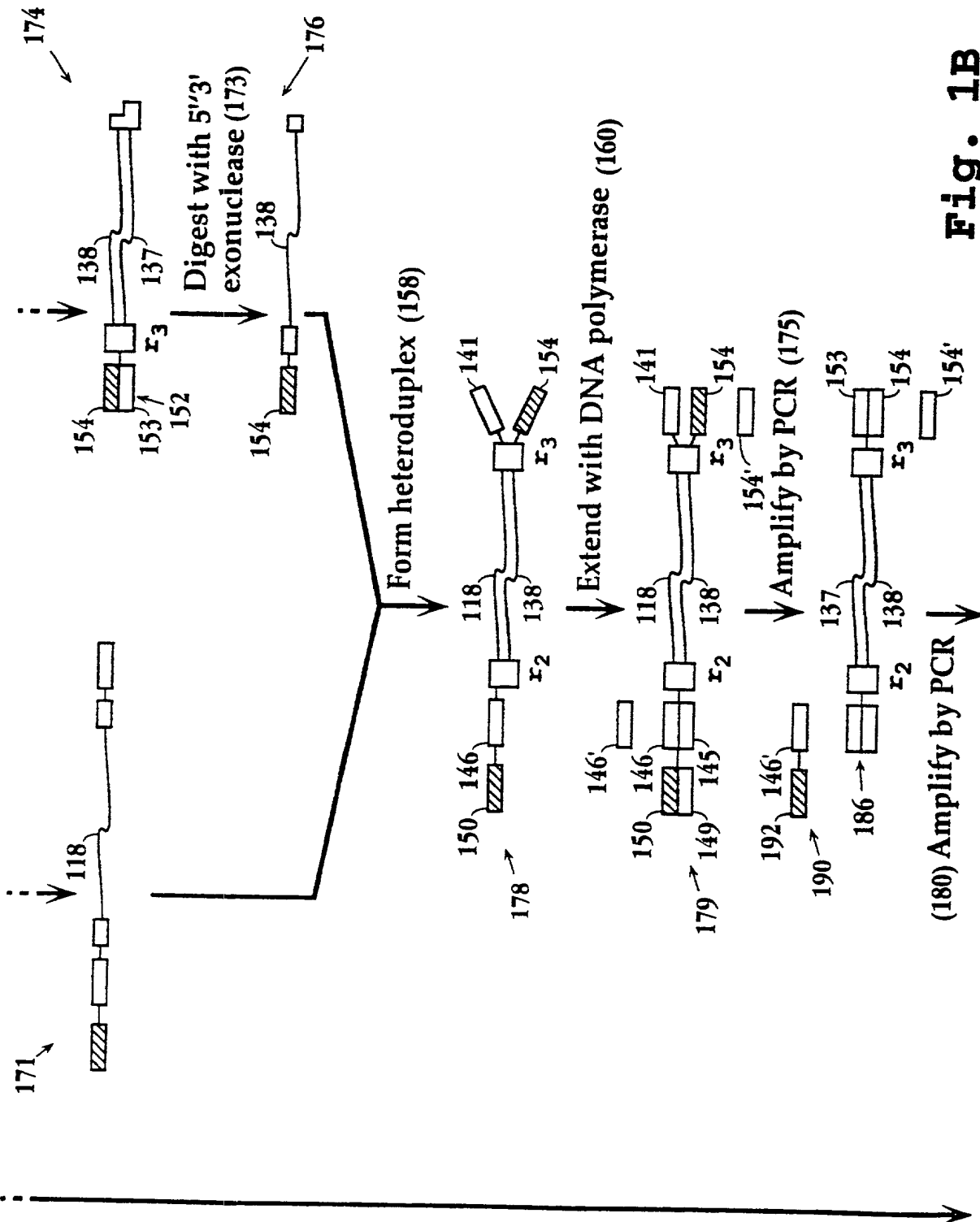


Fig. 1B

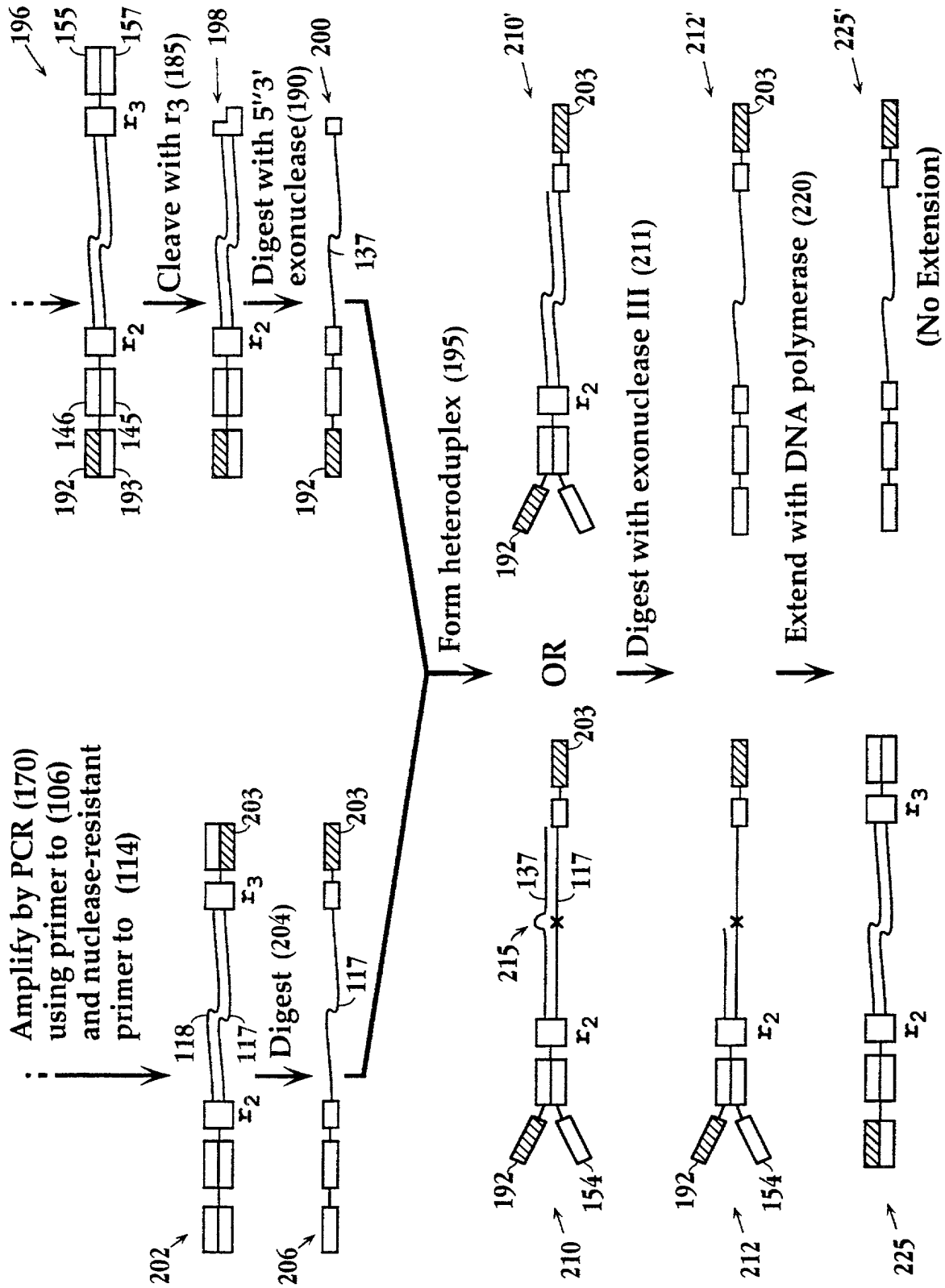


Fig. 1C

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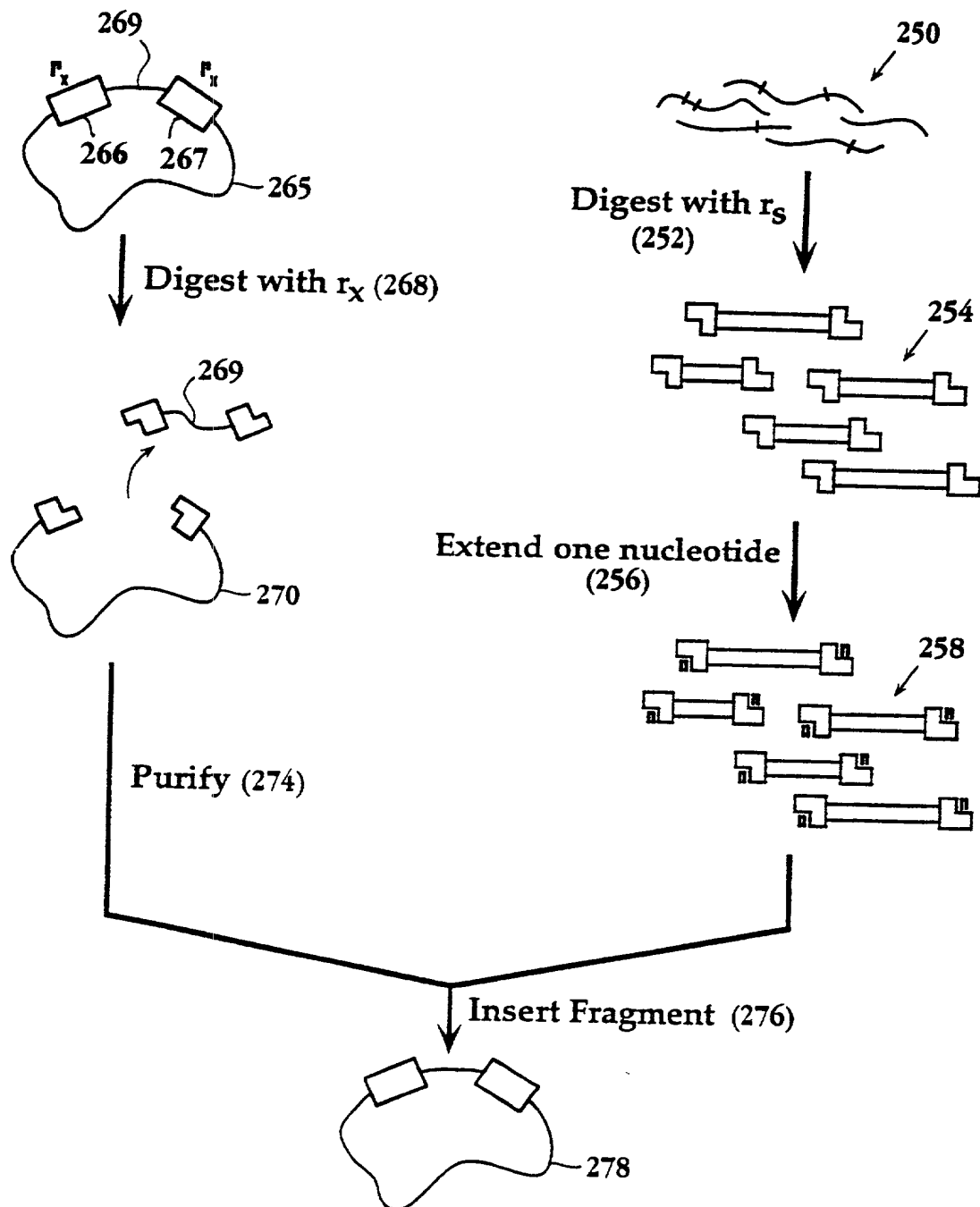


Fig. 2

COMBINED DECLARATION AND POWER OF ATTORNEY
(Includes Reference to PCT International Applications)

ATTORNEY'S DOCKET NO.
5525-0038.10

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHOD OF SCREENING FOR GENETIC POLYMORPHISM

the specification of which (check only one item below):

- ☐ is attached hereto.
☐ was filed as United States application Serial No. _____ on _____
and was amended on _____, (if applicable)
☒ was filed as PCT international application Number **PCT/US99/20047** on **31 August 1999**.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56(a).

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate or 365(a) of any PCT international application(s) which designated at least one country other than the United States of America listed below and have also identified below, by checking the box, any foreign application(s) for patent or inventor's certificate, or of any PCT international application(s) having a filing date before that of the application(s) on which priority is claimed.

PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. §119:

COUNTRY (if PCT, indicate "PCT")	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 USC §119	
			<input type="checkbox"/> YES	<input type="checkbox"/> NO

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) or 365(c) of any PCT international application(s) designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT application(s) in the manner provided by the first paragraph of 35, U.S.C. §112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56(a) which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application.

PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. §120:

U.S. APPLICATIONS		STATUS (Check one)		
U.S. APPLICATION NUMBER	U.S. FILING DATE	PATENTED	PENDING	ABANDONED
60/099,147	04 September 1998			X
PCT APPLICATIONS DESIGNATING THE U.S.				
PCT APPLICATION NO.	PCT FILING DATE	U.S. Serial Nos. Assigned (if any)		
PCT/US99/20047	31 August 1999		X	

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

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COMBINED DECLARATION AND POWER OF ATTORNEY (CONTINUED)

(Includes Reference to PCT International Applications)

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	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE & ZIP CODE/COUNTRY

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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April 17 2001

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SEQUENCE LISTING

<110> Lynx Therapeutics, Inc.

<120> Method of Screening for Genetic Polymorphism

<130> 5525-0038.41

<140> not yet assigned

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